IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 19868 of 2000

Between:

1 M/s. Premier Chemical Industries, Rep. by its Proprietrix, Mrs. Aravind Karia, H.No. 16-9-683/684, Old Malakpet, Hyderabad- 36.
2 Md.Ismail, W/o. Md.Yaseen,
Prop: N.S.Trading Co., 99, S.R.T.Colony,
Yakutpura, Hyderabad.
3 Ashok Kumar .K S/o. K.Murali Mohan
Prop: Tara Enterprises, R/o. 23-5-561, Inside Laldarwaza,
Hyderabad-265.

..... PETITIONERS

AND

1 Managing Director, A.P. Health & Medical Housing Infrastructure Development Corporation.,
D.M.& H.S. Office Compound, Koti,
Sultan Bazar, Hyderabad.
2 The Project Director, A.P.H.M.H. & D.C.,
Koti, Sultan Bazar, Hyderabad.
3 The Principal Secretary, Medical, Health & Family Welfare, Planning Department, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
4 The Commissioner, Industries Department, Government of Andhra Pradesh, Chirag Ali Lane, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a direction, or a Writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Nos.1 to 3 for inclusion of reserved items i.e., 124, 125, 126, 131 & 210 in the tender schedule dt. 12-6-2000 issued by the 1st Respondent is illegal, arbitrary, unconstitutional, against the principles of natural justice and also in violation of G.O.Ms.No.48, Industries & Commerce (SSI Dept) Department dt. 20-2-1999 and further direct the 1st Respondent herein to delete the reserved items namely (1) Cetrimide Solution (2) Chlorehexidine Gluconate 7.5% (3) Chloroxylenol 4.8% (4) Lysol (Cresol with soap) I.P. and (5) Cleaning Powder from

the tender schedule dt. 12-6-2000 forthwith and pass such other order/orders in the circumstances of the case.

Counsel for the Petitioner: MR.A.SRINIVASULU (not present)

Counsel for the Respondents 1 to 3: GP FOR MEDICAL HEALTH & FAMI.WELFARE

Counsel for the respondent No.4: G.P for Industries.

The Court made the following :

ORAL ORDER:

Today, when the matter is taken up for hearing, none appears for the petitioners nor there was any representation on their behalf.

The learned Government Pleader for Medical Health and Family Welfare submitted that the matter relates to inclusion of some reserved items in the tender schedule dated 12.6.2000. Counter affidavit has been filed on behalf of the fourth respondent wherein it is fairly conceded that the action initiated by the respondents is against the policy of the government and in violation of instructions as per G.O. Ms. No. 48, Industries & Commerce (SSI) Department, dated 20-2-1999. He further submitted that the matter is of the year 2000 and at present the cause in the writ petition does not survive and hence the writ petition may be dismissed as infructuous.

Recording the above submission, the writ petition is dismissed as having become infructuous. No costs.

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kvsn/tvk 07-07-2005

To

1 Managing Director, A.P. Health & Medical Housing Infrastructure Development Corporation.,
D.M.& H.S. Office Compound, Koti,
Sultan Bazar, Hyderabad.
2 The Project Director, A.P.H.M.H. & D.C.,
Koti, Sultan Bazar, Hyderabad.
3 The Principal Secretary, Medical, Health & Family Welfare, Planning Department, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.

4 The Commissioner, Industries Department, Government of Andhra Pradesh, Chirag Ali Lane, Hyderabad.

5 Two CCs to GP for Medical Health & Family Welfare, and two CCs to GP for Industries, High Court buildings, Hyderabad.

6 Two CD copies.